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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/548,082

Applicant(s)

KOIZUMI ET AL.

Examiner

DAEHO D. SONG

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 14 September 2009.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-31 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-31 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/22)
- Paper No(s)/Mail Date _____

- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Applicant's Response

In Applicant's Response dated 09/14/2009, Applicant amended Claims 16 and 17, added Claims 29-31, and argued against all rejections previously set forth in the Office Action dated 05/13/2009.

Examiner has contacted Applicant's representative, Ryan F. Heavener, on 12/11/09 for a proposed Examiner's Amendment. However, no agreement was reached.

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims 1-31 are rejected under 35 U.S.C. 102(b) as being anticipated by Rumreich et al. (hereinafter Rumreich): U.S. Patent No. 5,929,927.

Rumreich expressly teaches:

Claim 1. A scroll display control device including a computer readable medium which stores a program for causing a computer to execute scroll-displaying, in synchronism

with reproduction of series information correlated to text information, the corresponding text information on a text display screen, said scroll display control device comprising: means which changes a scroll speed in said text display screen on the basis of a text quantity of said corresponding text information with respect to reproduction time of said series information (col. 3 lines 37-48; col. 5 lines 1-10: changing a scroll speed in a text display screen according to text volume with respect to reproduction time of video/audio information), wherein the display area of said text is fixed at a predetermined reference position of the text display screen (col. 4 lines 63-67: the caption window or display area of text is fixed at a predetermined position of the text display screen).

Claim 2: A scroll display control device including a computer readable medium which stores a program for causing a computer to execute scroll-displaying, in synchronism with reproduction of series information correlated to text information, the corresponding text information on a text display screen, said scroll display control device comprising: scroll speed calculation means which calculates a scroll speed on the basis of at least a time length of a series information section presently under reproduction and a quantity of the text belonging to a text section corresponding to the series information section during reproduction (col. 3 lines 37-48; col. 5 lines 1-10; col. 6 lines 38-60: calculating a scroll speed on the basis of a time period of video/audio information and an amount of text corresponding to the video/audio information during reproduction); and control means which scroll-displays the text belonging to the text section at a predetermined reference position of said text display screen according to said scroll

speed (col. 4 lines 63-67: the caption window or display area of text is fixed at a predetermined position of the text display screen).

Claim 3. The scroll display control device according to claim 2, further comprising a text display setting information memory which variably stores display setting information of the text displayed on said text display screen; wherein said scroll speed calculation means calculates said scroll speed of the text on the basis of the length of the series information section during reproduction, the quantity of the text belonging to the text section corresponding to the series information section during reproduction, and the display setting information (col. 3 lines 37-48; col. 5 lines 1-10; col. 6 lines 38-60: calculating a scroll speed on the basis of a time period of video/audio information and an amount of text corresponding to the video/audio information during reproduction).

Claim 4. The scroll display control device according to claim 3, wherein said text display setting information memory variably stores a plurality of scroll methods and said control means scroll-displays the text according to the selected scroll method (col. 3 lines 37-48; col. 5 lines 1-10; col. 6 lines 38-60: storing various scroll rate and controlling scroll-displays according to the selected scroll rate).

Claim 5. The scroll display control device according to Claim 3, wherein said text display setting information memory variably stores a predetermined reference position of said

text display screen (col. 4 lines 63-67: memory for the caption window or display area of text at a predetermined position).

Claim 6. The scroll display control device according to claim 3, further comprising user instruction input means for dynamically changing the text display setting information (col. 7 lines 25-54: caption insert for the text display).

Claim 7. The scroll display control device according to Claim 2 or Claim 5, wherein text of a preceding text section which precedes the text section and text of a succeeding text section which succeeds the text section are respectively displayed in two adjacent areas across the text section displayed at the reference position (col. 4 lines 44-48: displaying text with closed captioning standard EIA-608, having four rows of text at one time reference among displayed 15 rows text that include succeeding text and preceding text).

Claim 8. The scroll display control device according to claim 2, further comprising a storage means which searchably stores the series information and the text information (fig. 3; col. 5 lines 14-67: a storage medium for storing text data and video/audio data).

Claim 9: The scroll display control device according to claim 2, wherein the series information and the text information corresponding thereto is acquired by accessing a server which provides the series information and the text information (figs. 3 and 5).

Claim 10. A scroll display control method comprising: displaying text information corresponding to sound in a scroll manner, such that the text information is displayed in synchronism with reproduction of the sound by changing a scroll speed adaptable to the sound during reproduction (col. 3 lines 37-48; col. 5 lines 1-10: displaying text information corresponding to sound of person's speaking in synchronism and changing the scroll speed in response to variations in the rate at which persons depicted in a screen speak).

wherein the display area of said text information is fixed at a predetermined reference position of a text display screen (col. 4 lines 63-67: the caption window or display area of text is fixed at a predetermined position of the text display screen).

Claim 11. A scroll display control method comprising: displaying and reading text information corresponding to a picture in synchronism with reproduction of the picture in a scrolling manner, and performing scroll display of said text information in synchronism with the reproduction of the picture by changing a scroll speed adaptable to the picture under reproduction (col. 3 lines 37-48; col. 5 lines 1-10: displaying and reading text information corresponding to a picture in synchronism with reproduction of the picture in a scrolling manner, and changing a scroll speed according to the picture under reproduction in synchronism with the text information), wherein the display area of said text information is fixed at a predetermined reference position of a text display screen

(col. 4 lines 63-67: the caption window or display area of text is fixed at a predetermined position of the text display screen).

Claim 12. The scroll display control method according to claim 11, wherein the text information to be displayed is text information belonging to a text section corresponding to the picture during reproduction and to preceding and succeeding text sections thereof (col. 4 lines 45-67: displaying text information grid of 15 rows including preceding and succeeding text sections with 4 rows of caption window).

Claim 13. The scroll display control method according to claim 11, wherein when a text section corresponding to a picture reproduction position is changed, said scroll speed is derived on the basis of a time length of a picture section corresponding to the picture reproduction position and a text quantity of the text section corresponding to the picture reproduction position (col. 6 lines 38-60: controlling the scroll speed by the time length of video information corresponding to the content of text information).

Claim 14. The scroll display control method according to claim 11 or claim 13, further including changing a text display setting of the text to be synchronously displayed with reproduction of the picture, and wherein, when the display setting of the text is changed, said scroll speed is derived on the basis of the changed display setting of the text (col. 5 lines 1-10; col. 6 lines 40-60).

Claim 15. The scroll display control method according to claim 14, wherein reproduction of the picture is one of still picture reproduction, n-time reproduction, n-time rewind reproduction, and slow reproduction, where n is an integer equal to or greater than 1 (figs. 1-2; col. 6 lines 40-60: video production functions).

Claim 16. The scroll display control method according to claim 15, wherein a number of characters displayed in the text section is increased by automatically changing the text display setting when reproduction of the picture is either fast-forward reproduction of at least two-time fast-forward reproduction or rewind reproduction (col. 5 lines 1-12: controlling speed in the rate of speech in video).

Claim 17. The scroll display control method according to claim 15, wherein a number of characters displayed in a text section succeeding the text section corresponding to the picture under reproduction is increased by automatically changing the text display setting when reproduction of the picture is slow reproduction (col. 5 lines 1-12; col. 6 lines 40-60).

Claims 18 and 19:

The subject matter recited in Claims 18 and 19 corresponds to the subject matter recited in Claim 2. Thus Rumreich discloses every limitation of Claims 18 and 19, as indicated in the above rejections for Claim 2.

Claim 20. The scroll display control device according to Claim 1, wherein a reproduction time is a time length of said series information (col. 5 lines 1-10).

Claim 21. The scroll display control device according to Claim 1, wherein said scroll speed is increased if the text quantity increases with respect to said reproduction time and said scroll speed is decreased if the text quantity decreases with respect to said reproduction time (col. 5 lines 1-10; col. 6 lines 38-60).

Claim 22. The scroll display control method according to Claim 14, wherein the changing of the text display setting includes at least one of changing a display reference position of a target text, changing of a text display area size indicative of a height and a width of a text display area, and changing of a display text character size indicative of a height and a width of a text character (col. 6 lines 40-60).

Claims 23 and 24:

The subject matter recited in Claims 23 and 24 corresponds to the subject matter recited in Claim 22. Thus Rumreich discloses every limitation of Claims 23 and 24, as indicated in the above rejections for Claim 22.

Claim 25. The scroll display control device according to Claim 1, wherein the series information is image information or sound information (col. 5 lines 1-10).

Claim 26. The scroll display control device according to Claim 1, wherein the text quantity of said corresponding text information is an amount of text corresponding to the series information per unit time (col. 5 lines 1-10; col. 6 lines 38-60).

Claim 27. The scroll display control device according to Claim 1, wherein the text quantity of said corresponding text information is a total number of characters included within said corresponding text information (col. 5 lines 1-10; col. 6 lines 38-60).

Claim 28. The scroll display control device according to Claim 2, the quantity of the text belonging to the text section corresponding to the series information section is a total number of characters included within the text section (col. 5 lines 1-10; col. 6 lines 38-60).

Claim 29. The scroll display control device according to Claim 2, wherein the text belonging to the text section corresponds to a picture section currently under reproduction, the picture section having the time length comprising a predetermined set of frames selected from a plurality of frames which make up the series information (col. 3 lines 37-47).

Claim 30. The scroll display control device according to Claim 2, wherein text information is divided into a plurality of text sections, each of the plurality of text sections corresponding to at least one of a different speaker and different sentence, and the

series information is divided into a plurality of picture sections each having a corresponding time length, each time length having at least one of (1) a duration indicated by a starting time and ending time and (2) a set of frames (col. 6 lines 38-60).

Claim 31. The scroll display control device according to Claim 30, wherein the plurality of text sections include the text section, a preceding text section which precedes the text section, and a succeeding text section which succeeds the text section, and the text of the preceding text section and the text of the succeeding text section are respectively displayed simultaneously along with the text section in two adjacent areas across the text section which is displayed at the reference position (col. 4 lines 44-48).

Response to Arguments

3. Applicant's arguments against the rejections based on 35 U.S.C. § 102 with respect to Claims 1-31 have been considered, but they are not persuasive.

Applicant argues that Rumreich fails to disclose:

changes a scroll speed in said text display screen on the basis of a text quantity of said corresponding text information with respect to reproduction time of said series information.

The examiner disagrees.

As indicated in the above rejection for Claim 1, Rumreich discloses that when a person depicted in the screen speaks rapidly, **closed caption text characters are received at an increased rate, which causes to change the scroll speed** due to increased text amount on the display area of the screen in comparison to slow speed of receiving data. Thus the scroll speed is changing according to the text amount **corresponding to video information during a time of spoken words** from the person on the screen (see col. 6 lines 38-60).

Applicant argues that Rumreich fails to disclose:

scroll speed calculation means which calculates a scroll speed on the basis of at least a time length of a series information section presently under reproduction.

The examiner disagrees.

As indicated in the above rejection for Claim 2, Rumreich discloses that the scroll speed is calculated **according to time duration of video data, which is a time period of spoken words**. For instance, a fast speaker would say 50 words during 10 seconds, and yet a slow speaker would say 10 words during 10 seconds on the screen. Thus the **scroll speed would be faster for the fast speaker during a time period of spoken words** in order to present those spoken words on the predetermined display area of the screen without duration of pause (see col. 3 lines 37-48; col. 5 lines 1-10; col. 6 lines 38-60).

Applicant argues that Rumreich fails to disclose:

scroll speed calculation means calculates said scroll speed of the text on the basis of the length of the series information section during reproduction, the quantity of the text belonging to the text section corresponding to the series information section during reproduction, and the display setting information.

The examiner disagrees.

Rumreich discloses that the scroll speed is calculated **according to length of video data, which are various lengths of each scene**. For instance, a fast speaker would say 10 words during relatively a short scene, whereas a slow speaker would say 10 words during much longer scene. Thus the scroll speed would be calculated according to different lengths of each scene by means of **rapid change of those short scenes** (see col. 3 lines 37-48; col. 5 lines 1-10; col. 6 lines 38-60). Furthermore, the scroll speed is also calculated according to display setting information. For instance, **two lines of caption text display would have faster scroll speed than four lines of caption text display** under the same video data. And the display setting information can be reformatted by a user by means of **changing the number of rows of text presented on the caption window**.

Applicant argues that Rumreich fails to disclose:

text of a preceding text section which precedes the text section and text of a succeeding text section which succeeds the text section are respectively displayed in two adjacent areas across the text section displayed at the reference position.

The examiner disagrees.

Rumreich discloses that when four rows of text information are displayed on the caption window, **a preceding text section and a succeeding text section are displayed in two adjacent areas across a reference text section.**

Applicant argues that Rumreich fails to disclose:

displaying text information corresponding to sound in a scroll manner, such that the text information is displayed in synchronism with reproduction of the sound by changing a scroll speed adaptable to the sound during reproduction.

The examiner disagrees.

Rumreich discloses that the scroll speed is changed in response to variations in rate at which persons depicted in a screen speaks as to whether a person being talking fast or slow. It should be noted that it is the nature of the closed caption technique that **the spoken words, which is text information, are displayed in synchronism with reproduction of the sound** of those spoken words so that the scroll speed is changed according the sound (see col. 3 lines 37-48; col. 5 lines 1-10).

Applicant argues that Rumreich fails to disclose:

reproduction of the picture is one of still picture reproduction, n-time reproduction, n-time rewind reproduction, and slow reproduction, where n is an integer equal to or greater than 1.

The examiner disagrees.

Rumreich discloses that video production system shows **a regular speed of reproduction** (i.e. $n=1$) (see figs. 1-2; col. 4 lines 11-60).

Applicant argues that Rumreich fails to disclose:

a number of characters displayed in the text section is increased by automatically changing the text display setting when reproduction of the picture is either fast-forward reproduction of at least two-time fast-forward reproduction or rewind reproduction or slow reproduction.

The examiner disagrees.

Rumreich discloses that the text amount in the caption window is changed according to **the number of rows** presented in the caption window, and **the speed of spoken words** either fast or slow speed (see col. 5 lines 1-12; col. 6 lines 38-60).

Conclusion

THIS ACTION IS MADE FINAL. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to DAEHO D. SONG whose telephone number is (571)272-7524. The examiner can normally be reached on Mon-Fri 7:30-5:00pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on 5712724088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Daeho D Song/
Examiner, Art Unit 2175

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